



TOWN OF PALM BEACH

PLANNING, ZONING AND BUILDING DEPARTMENT

MINUTES OF THE REGULAR ARCHITECTURAL REVIEW COMMISSION MEETING HELD ON WEDNESDAY, MAY 24, 2023

Please be advised that in keeping with a recent directive from the Town Council, the minutes of all Town Boards and Commissions will be "abbreviated" in style. Persons interested in listening to the meeting, after the fact, may access the audio of that item via the Town's website at www.townofpalmbeach.com.

I. **CALL TO ORDER**

Mr. Smith called the meeting to order at 9:00 a.m.

II. **ROLL CALL**

Jeffrey W. Smith, Chairman	PRESENT
Richard F. Sammons, Vice Chairman	PRESENT
John David Corey, Member	PRESENT
Betsy Shiverick, Member	PRESENT
Thomas Kirchhoff, Member	PRESENT
Kenn Karakul, Member	PRESENT (Arrived at 9:01 a.m.)
Elizabeth Connaughton, Member	PRESENT
Dan Floersheimer, Alternate Member	PRESENT
Joshua L. Martin, Alternate Member	PRESENT (Arrived at 9:02 a.m.)
Katherine "KT" Catlin, Alternate Member	PRESENT

Staff Members present were:

Sarah Pardue, Design & Preservation Planner
Jordan Hodges, Design & Preservation Planner
Kelly Churney, Acting Town Clerk

III. **PLEDGE OF ALLEGIANCE**

Chairman Smith led the Pledge of Allegiance.

IV. **APPROVAL OF MINUTES**

Motion made by Ms. Shiverick and seconded by Mr. Sammons to approve the minutes from the April 26, 2023, meeting as presented. Motion carried unanimously, 7-0.

V. **APPROVAL OF THE AGENDA**

Ms. Pardue asked to modify the agenda with the following changes:

*ARC-23-067, 1600 S. Ocean Blvd. was pulled from consent by staff.
Deferral of ARC-23-033, 1440 S. Ocean Blvd. to the June 28, 2023, meeting*

Motion made by Mr. Corey and seconded by Mr. Karakul to approve the agenda as amended. Motion carried unanimously, 7-0.

VI. **ADMINISTRATION OF THE OATH TO PERSONS WHO WISH TO TESTIFY**

Ms. Churney administered the oath at this time and throughout the meeting as necessary.

VII. **COMMENTS FROM THE ARCHITECTURAL REVIEW COMMISSION MEMBERS**

There were no comments heard at this time.

VIII. **COMMUNICATIONS FROM CITIZENS REGARDING NON-AGENDA ITEMS (3-MINUTE LIMIT, PLEASE)**

There were no comments heard at this time.

IX. **PROJECT REVIEW**

A. **CONSENT AGENDA**

1. **ARC-22-014 (ZON-22-030) 143 SEMINOLE AVE (COMBO)—EXTENSION OF TIME** An application has been filed requesting an Architectural Commission review and approval for a One (1) year Extension of Time for a previously issued Architectural Commission Approval for modifications to window and door openings and a two-story addition to an existing two-story residence. *Project was approved at the January 26, 2022, ARCOM meeting.*

2. **ARC-22-020 120 CLARENDON AVE—EXTENSION OF TIME** An application has been filed requesting an Architectural Commission review and approval for a One (1) year Extension of Time for a previously issued Architectural Commission Approval for modifications to an existing pool cabana. *Project was approved at the April 27, 2022, ARCOM meeting.*

3. **ARC-23-067 1600 S. OCEAN BLVD.** The applicant, Ninety 9798 Canada Inc, has filed an application requesting Architectural Commission review and approval for modifications to a previously approved single-family residence including fenestration changes and a second-floor addition.

Please note: This item was pulled from consent and was not approved with the consent agenda approval.

4. **ARC-23-037 991 N. LAKE WAY** The applicant, 991 N Lake Way Trust, has filed an application requesting Architectural Commission review and approval for modifications to a previously approved driveway and associated hardscape.

Please note: This item was deferred to the June 28, 2023, meeting at Item V., Approval of the Agenda.

Motion made by Mr. Corey and seconded by Mr. Karakul to approve the consent agenda as amended, which did not include ARC-23-067, 1600 S. Ocean Blvd. Motion carried unanimously, 7-0.

The following project was pulled from consent and was not included in the approval of the consent agenda.

Please note: Mr. Martin left the meeting at 9:27 a.m.

3. **ARC-23-067 1600 S. OCEAN BLVD.** The applicant, Ninety 9798 Canada Inc, has filed an application requesting Architectural Commission review and approval for modifications to a previously approved single-family residence including fenestration changes and a second-floor addition.

Ms. Pardue provided staff comments on the project.

Call for disclosure of ex parte communication: Disclosure by several members.

Harold Smith, Smith and Moore Architects, presented the architectural modifications to the existing home.

The owner of the property discussed his intentions with the renovations.

Ms. Shiverick thought the addition of the balustrades and the change of the pediments were appropriate. She thought the home had a better sense of grandeur. She was in favor of the changes.

Mr. Sammons provided technical critiques for the design of the pediment, portico, and the three windows on the south elevation. He thought the house would need some shading. The owner responded to Mr. Sammons' comments.

Mr. Corey thought the house was a handsome neo-classical design but felt the home would look out of place. He did not feel the design was appropriate for Palm Beach. Mr. Corey did believe the pediment would improve the design. Mr. Corey asked to see the roof plan for the home and asked how the pediment would look from the street. Mr. Smith responded.

Mr. Kirchhoff agreed with Ms. Shiverick's comments. He thought the home was beautiful as a one-story and felt it was a shame that a second story would be added.

Mr. Karakul questioned the proportions of some of the doors and windows. The owner responded. Mr. Karakul recommended additional landscaping on the east façade to soften the elevation.

Ms. Connaughton thought the design was nice but agreed it may be too out of scale for the area. She lamented the loss of the one-story home.

Mr. Jeff Smith thought it was a huge mistake to add a second story to the home.

There was a discussion about a possible motion, including whether the design was appropriate for the area and the items to be deferred.

Motion made by Ms. Shiverick and seconded by Mr. Karakul to defer the project to the June 28, 2023, meeting to restudy the pediment, the pitch of

the pediment, the second-floor windows, and to return with a study of the view of the pediment from the road. Motion carried unanimously, 7-0.

Motion made by Ms. Shiverick and seconded by Mr. Karakul to approve the basement work with the elimination of the 6 pairs of French doors on the west elevation. Motion carried unanimously, 7-0.

B. MAJOR PROJECTS-OLD BUSINESS

1. **ARC-22-022 (ZON-22-021) 160 SEAVIEW AVE. (COMBO)** The applicant, Coral Beach Corporation (Angela Feldman, President) (160 Seaview Ave) and Seaview Holdings, Inc. (David Feldman, Director) (170 Seaview Ave), has filed an application requesting Architectural Commission review and approval of the construction of a new two-story guest house including variances from setback and point of measurement requirements on a unified site of 160 and 170 Seaview Avenue. Town Council will review the variance portion of the application.

Please note: This item was deferred to the June 28, 2023, meeting at Item V., Approval of the Agenda.

2. **ARC-22-243 (ZON-23-014) 302 SEABREEZE AVE. (COMBO)** The applicant, Sean Rooney, has filed an application requesting Architectural Commission review and approval for the construction of a new two-story single-family residence with related landscape and hardscape improvements, requiring Site Plan Review due to deficient lot width and area, and variances to provide one garage parking space in lieu of the two required and to install air conditioning condensing units and a generator in the rear yard setback without being completely screened from the adjacent property. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval.

Mr. Hodges provided staff comments on the project.

Call for disclosure of ex parte communication: Disclosure by several members.

Peter Papadopoulos, Smith and Moore Architects, presented the architectural modifications proposed for the new residence.

John Lang, Lang Design Group, presented the landscape and hardscape plans proposed for the site.

Sean Rooney, owner, discussed the intent in the design of his new two-story home.

Mr. Corey thought the home was very well designed. He thought it looked historic. He asked the professional to consider the roof ridge design and height and offered suggestions for some changes. He wondered if the front porch would be usable if the home were pushed back by two feet. He recommended raising the railing on the front entablature. Mr. Papadopoulos responded to Mr. Corey's comments.

Mr. Floersheimer thought the home was too tall for the streetscape. He acknowledged Mr. Papadopoulos's agreement to reduce some of the height of the home.

Mr. Sammons thought the house was too thick and should be reduced. Mr. Sammons provided a suggestion for the roof design. Mr. Sammons thought if the width of the house were reduced, it would allow the front porch could be increased.

Ms. Connaughton did not believe the roof ridge height was important. She thought the changes were appropriate for the neighborhood. However, she thought the width of the home should be reduced, which would help the roof ridge design. She thought the accessory building roof design was awkward and asked for it to be restudied.

Mr. Kirchhoff did not believe lowering the ridge would be a positive step. However, he believed that if the width of the home were reduced, it would help the ridge design. He also thought that the roof on the accessory structure should be resolved. He thought the porch was a bit too wide.

Ms. Shiverick agreed that the width of the porch was too wide. She recommended breaking up the mass on the east and west elevations since the home was wide and boxy.

Mr. Smith thought the design was an improvement. He recommended changing the railings on the front entablature.

Mr. Karakul thought the changes were sensitive and nicely done. He was not in favor of the railing on the porch and thought it could be restudied.

Mr. Kirchhoff recommended removing the Bahama shutters on the front of the home.

Mr. Smith called for public comment. No one indicated a desire to speak.

Motion made by Mr. Corey and seconded by Ms. Shiverick to defer the project to the June 28, 2023, meeting to address the comments from the Commissioners. Motion carried 6-1, with Mr. Karakul dissenting.

3. **ARC-23-041 232 COLONIAL LN.** The applicant, George and Zvenka Kleinfeld, has filed an application requesting Architectural Commission review and approval for a pergola and modifications to a perimeter wall.

Ms. Pardue provided staff comments on the project.

Call for disclosure of ex parte communication: Disclosure by several members.

Dustin Mizell, Environment Design Group, presented the modifications to the existing home.

Mr. Smith called for public comment.

Jim Frogner, zoning consultant on behalf of Mr. Wolf, the adjacent neighbor at 225 Monterey Road, stated their concerns and objections to the installation of a new buffer between the two properties.

Steven Wolf, 225 Monterey Road, discussed his objections to Mr. Kleinfeld's request for a new buffer.

Jamie Crowley, attorney for the Kleinfelds, stated that there was no work proposed to occur on the Wolfs' property. He indicated that all work would occur on his client's property, and there were no easements in the rear of the property.

George Kleinfeld, owner of 232 Colonial Lane, discussed his intentions with the proposed changes.

Ms. Catlin asked if there was a way for the new buffer to be installed in a way to allow the neighbor to maintain their hedges. Mr. Mizell responded.

Mr. Kirchhoff agreed with the applicant and thought the applicant had a right to a fence.

Mr. Corey agreed with Mr. Kirchhoff. He thought the project was acceptable as presented.

Mr. Floersheimer asked to see the site plan for the properties. He understood the owner's right to his property but wondered if the neighbor should have a right to his existing landscaping. He wondered if the applicant should just keep the neighbor's hedge and maintain that hedge. Mr. Mizell responded.

Mr. Karakul asked about the material for the new fence. Mr. Mizell responded.

Motion made by Mr. Kirchhoff and seconded by Mr. Corey to approve the project as presented. Motion carried unanimously, 7-0.

4. **ARC-23-032 (ZON-23-041) 176 SEMINOLE AVE. (COMBO)** The applicant, William Paca Beatson, Jr. Trustee of the William Paca Beatson Revocable Trust dated January 8, 2021, has filed an application requesting Architectural Commission review and approval for the conversion of a rear vehicular garage into storage space, for the construction of a second-floor addition over the existing single-story garage, and landscape and hardscape alterations requiring four variances to eliminate required garage parking, to construct a second floor addition with a reduced rear setback, to exceed the maximum allowable Cubic Content Ratio (CCR), and to reduce landscape open space below code requirements. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval.

Please note: This item was deferred to the June 28, 2023, meeting at Item V., Approval of the Agenda.

5. **ARC-22-241 (ZON-23-002) 624 ISLAND DR. (COMBO)** The applicant, Holly Ann Bartlett, as Trustee of the 1220 South Ocean Boulevard Trust dated May 23, 2013, has filed an application requesting Architectural Commission review and approval for the construction of a new rooftop clerestory projection enclosing an existing open-air interior courtyard to an existing two-story residence including variances from building height, lot coverage and Cubic Content Ratio (CCR). This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval.

Please note: This item was deferred to the June 28, 2023, meeting at Item V., Approval of the Agenda.

6. **ARC-23-018 260 NIGHTINGALE TRL.** The applicant, Nightingale 260 LLC, has filed an application requesting Architectural Commission review and approval for the construction of a new two-story residence with associated landscape and hardscape.

Mr. Hodges provided staff comments on the project.

Call for disclosure of ex parte communication: Disclosure by several members.

Roger Janssen, Dailey Janssen Architects, presented the architectural modifications proposed for the new home.

Cory Meyer, Nievera Williams Design, presented the landscape and hardscape modifications proposed for the site.

Mr. Smith called for public comment.

Lore Smith, 250 Nightingale Trail, thanked the Commissioners and the professionals for listening to her concerns. She thought the home would contribute to the street. She asked about the height of the home and wondered if it had been increased. She was a bit worried about setting a precedent for an increase in the height for new homes on the street.

Mr. Floersheimer thought the professional listened to the comments from the Commissioners and did a good job addressing them. He asked about the scale of the French doors on the second floor, south elevation. Mr. Janssen responded.

Mr. Corey pointed out an error on the page for the south elevation. Mr. Corey asked about the Green Buttonwoods on the landscaping plan. Mr. Meyer responded. Mr. Corey stated he preferred the Green Buttonwoods. Mr. Corey thought the design worked well for the street. He did believe the roof height was too tall and asked if it could be reduced.

Mr. Kirchhoff provided suggestions for changes to the roof pitch and design. Mr. Janssen responded.

Mr. Karakul thought the design was successful and addressed the neighbor's issues. He thought the project could be approved.

A discussion ensued about changes to the roof pitch. Mr. Janssen agreed to reduce the roof pitch by two feet.

Ms. Connaughton thought some of the mass in the home could be reduced and suggested that it could help the roof design. She questioned the bathroom addition on the second floor; she wondered what that item looked like in the rendered elevation. Mr. Janssen responded. She recommended changing the balcony columns. Mr. Janssen responded and addressed the bathroom design and columns on the balcony.

Mr. Floersheimer asked to see a streetscape of the property. Mr. Janssen responded and provided the streetscape.

Mr. Corey asked about the floor-to-floor height. Mr. Janssen responded. Mr. Corey thought the height could be reduced by reducing the ceiling height.

Mr. Sammons thought the floor-to-floor space was too large and could be reduced. He provided some design solutions so that the overall height could be reduced.

Motion made by Mr. Sammons and seconded by Ms. Shiverick to approve the project as presented, with the condition that the second-floor height shall be lowered by one foot. Motion carried 4-3, with Messrs. Corey, Kirchhoff, and Ms. Connaughton dissenting.

7. **ARC-23-047 269 JAMAICA LANE** The applicant, Marrano Holdings 2022 LLC. (Maura Ziska), has filed an application requesting Architectural Commission review and approval for the construction of a new two-story single-family residence with related landscape and hardscape improvements.

Please note: This item was deferred to the June 28, 2023, meeting at Item V., Approval of the Agenda.

Please note: A short break was taken at 10:57 a.m. The meeting resumed at 11:14 a.m.

Mr. Smith stated that he would like to move project ARC-23-055, 288 Queens Lane, to be heard next on the agenda.

Motion made by Mr. Corey and seconded by Mr. Karakul to immediately hear project ARC-23-055, 288 Queens Lane. Motion carried unanimously, 7-0.

Please note: After the project ARC-23-055, 288 Queens Lane was heard, the meeting resumed with the next project. Mr. Martin returned to the meeting at 11:27 a.m.

8. **ARC-23-036 (ZON-23-050) 243 SEASPRAY AVE (COMBO)** The applicant, 243 Seaspray LLC (Larry Meyer, Manager), has filed an application requesting Architectural Commission review and approval for

construction of a new two-story single-family residence with final hardscape, landscape and pool, requiring setback variances. This is a combination project that shall be reviewed by Town Council as it relates to zoning relief/approval.

Mr. Hodges provided staff comments on the project.

Call for disclosure of ex parte communication: Disclosure by several members.

Kevin Asbacher, Asbacher Architecture, presented the architectural plans proposed for the new home.

Dustin Mizell, Environment Design Group, presented the landscape and hardscape modifications proposed for the site.

Mr. Smith called for public comment.

Maisie Grace, 247 Seaspray Avenue, stated that Mr. Mizell had been very helpful in resolving issues. She discussed issues of homes being built close to setbacks. She outlined her concerns with the proposed home.

Anne Pepper, 333 Seaspray Avenue, discussed the mechanical equipment on the east side and how the neighbor on that side was very concerned. She objected to the fenestration proposed for the home and felt the home was out of scale for the neighborhood.

Mr. Corey thought the design was superior to the first presentation. Mr. Corey thought the current fenestration was softer. He thought the rear section of the home was still looming. He suggested a restudy of the rear proportions. He questioned the three doors on the front elevation.

Ms. Shiverick did not believe the home fit on the street. She felt the home was cold and sterile. She thought the windows and garage doors were not appropriate for the area. She wondered if a side entrance would be appropriate. She thought the proportions were not correct for the Mediterranean style.

Ms. Connaughton agreed with Ms. Shiverick. She thought the proposal was improved, but the design missed the mark for the street. She indicated she could not support the home because it was not appropriate for the area.

Ms. Catlin agreed with Ms. Connaughton. She liked some of the elements in the design but did not believe it was appropriate for the street.

Mr. Karakul disagreed and thought the design had come a long way. He thought that with a restudy, it could work. He provided a suggestion for the garage wing portion of the home.

Mr. Kirchhoff agreed with the other Commissioners. He thought the living room was too tall. He provided a suggestion for the loggia roof. He was not supportive of the front entrance. He thought the whole garage element needed to be moved. He thought the design could be improved.

Mr. Floersheimer asked to see the streetscape; he pointed out scale issues with the proposed home compared to other homes on the street.

Mr. Smith objected to all the paving proposed; he thought it was out of place. He also objected to the lanterns on the pilasters. He was not in favor of the stairs coming out of the living room. He stated he could not support the project.

Motion made by Mr. Sammons and seconded by Mr. Karakul to defer the project to the July 26, 2023, meeting. Motion carried 6-1, with Ms. Connaughton dissenting.

9. **ARC-22-240 1198 N. OCEAN WAY** The applicant, Douglas L Williams & Gabrielle J Sirchio, has filed an application requesting Architectural Commission review and approval for construction of a new two-story single-family residence with related landscape and hardscape improvements.

Mr. Hodges provided staff comments on the project.

Call for disclosure of ex parte communication: Disclosure by several members.

Peter Papadopoulos, Smith and Moore Architects, presented the architectural modifications proposed for the new home.

Dustin Mizell, Environment Design Group, presented the landscape and hardscape modifications proposed for the site.

Mr. Smith called for public comment. No one indicated a desire to speak.

Mr. Corey was in favor of the new changes. He thought the home was charming and well done. Mr. Corey asked about the three gables on the south elevation. Mr. Papadopoulos responded. Mr. Corey wondered if a tree could be added to the corner of the property.

Mr. Karakul agreed and thought the changes were sensitively changed. He supported the project.

Mr. Sammons thought there was a slight disconnect between the first and second stories. He thought the scale was off a bit and recommended changing the roof pitch. He recommended adding some freeboard to the middle gable to allow the drainage to work. Mr. Papadopoulos stated he would be happy to make the roof pitch change suggested by Mr. Sammons.

Mr. Kirchhoff liked the home. He wondered about the ceiling heights in the kitchen. Mr. Papadopoulos responded.

Ms. Connaughton thought the improvements were good.

Motion made by Mr. Corey and seconded by Mr. Karakul to approve the project as presented with the addition of a shade tree on the southeast corner of the property. Motion carried unanimously, 7-0.

C. MAJOR PROJECTS-NEW BUSINESS

1. **ARC-23-033 1440 S OCEAN BLVD.** The applicant, 1440 South Ocean Trust (Ronald Kochman, Trustee), has filed an application requesting Architectural Commission review and approval for a new 2-story residence over 10,000 square feet and accompanying hardscape, landscape, pool, site walls and gates.

Please note: This item was deferred to the June 28, 2023, meeting at Item V., Approval of the Agenda.

2. **ARC-23-038 218 MERRAIN RD.** The applicants, Mr. and Mrs. Robert Keith, have filed an application requesting Architectural Commission review and approval for the construction of a new two-story single-family residence with related landscape and hardscape improvements.

Mr. Hodges provided staff comments on the project.

Call for disclosure of ex parte communication: Disclosure by several members.

Rafael Portuondo, Portuondo Perotti Architecture, presented the architectural plans proposed for the new home.

Cory Meyer, Nievera Williams Design, presented the landscape and hardscape plans for the site.

Mr. Smith called for public comment.

Andrew Roddy, 231 Kenlyn Road, objected to the generator in the rear of the home. He stated that Mr. Keith agreed to move the generator. Mr. Portuondo responded and showed the Commission the area where the generator would be moved.

Mr. Sammons thought the architecture was brilliant. He was uncertain on whether it fit into the neighborhood. He thought the front façade fit on the street.

Mr. Karakul agreed with Mr. Sammons. He questioned the roof on the garage section of the home. Mr. Portuondo responded. Mr. Karakul also asked about the coral wall. Mr. Portuondo responded.

Mr. Corey thought the house was interesting but was concerned and wondered if the home fit into the neighborhood. He expressed concern for the double-story glazing element and the amount of fenestration that would face the neighborhood on the west elevation. Mr. Portuondo responded. Mr. Corey was concerned about the size and the scale that would face the adjacent neighbor.

Ms. Connaughton was also concerned about the material on the garage roof. Mr. Portuondo stated he would change it to a cedar shake material.

Mr. Floersheimer agreed with the other Commissioners.

Ms. Catlin agreed with the other Commissioners and loved that the home was different. She still questioned if the design fit onto the street. Mr. Portuondo responded.

Cindy Anderson, 226 Merrain Road, expressed concern that the home went the entire length of the property, and she felt that the home would loom over her home.

Mr. Corey stated that Ms. Anderson's concern was also his concern.

Mr. Smith agreed with the other Commissioners and wondered if the design fit onto the street.

Mr. Karakul wanted to look at the landscaping between the proposed home and Ms. Anderson's home. Mr. Portuondo responded. Mr. Karakul asked for some taller palms to be added between the two homes; he believed it would mitigate the view.

Ms. Shiverick thought the architecture was wonderful but wondered if it fit into Palm Beach. She thought the materials were superb and added that the neighbors had not commented on the style.

Mr. Kirchhoff agreed with the concerns but supported the project.

Mr. Sammons thought it could be reduced by 5%.

Motion made by Mr. Sammons and seconded by Mr. Kirchhoff to approve the project as presented with the following conditions: the material on the garage roof shall be changed to match the roof on the main home, and the generator shall be moved to the west side, adjacent to the kitchen. Motion carried 4-3, with Messrs. Corey, Smith, and Ms. Shiverick dissenting.

Please note: A short break was taken at 12:45 p.m. The meeting resumed at 2:01 p.m.

Ms. Pardue indicated that staff was requesting a change to hear ARC-23-061, 301 Plantation Road before the next project.

Motion made by Mr. Corey and seconded by Mr. Sammons to immediately hear the project ARC-23-061, 301 Plantation Road. Motion carried unanimously, 7-0.

After ARC-23-061, 301 Plantation Road was heard, the Commission resumed by hearing the following project.

3. **ARC-23-039 (ZON-23-063) 599 S. COUNTY RD. (COMBO)** The applicant, SAS Realty Enterprises LLC (Greg Simonian, President), has filed an application requesting Architectural Commission review and

approval for construction of a new two-story single family residence and related landscape, hardscape and pool. The application shall be reviewed by Town Council as it pertains to zoning relief/approval.

Mr. Hodges provided staff comments on the project.

Call for disclosure of ex parte communication: Disclosure by several members.

Rafael Portuondo, Portuondo Perotti Architecture, presented the architectural plans proposed for the new home.

Grace Walton, Environment Design Group, presented the landscape and hardscape modifications proposed for the site.

Mr. Smith called for public comment. No one indicated a desire to speak.

Mr. Kirchhoff asked about the purpose of the paving around the garage. Mr. Portuondo responded. Mr. Kirchhoff thought it was out of scale.

Mr. Karakul thought the paving was not appropriate. He also thought the garages should be sideloaded. Mr. Portuondo responded. Mr. Karakul was not in favor of the garage design.

Mr. Sammons asked about the operability of the windows. Mr. Sammons asked to see scale figures in the drawings. He commented on the size of the home and thought it should be reduced. He questioned the design and order of the banding on the home.

Mr. Kirchhoff thought the plan was over in the cubic content calculation; he asked about the open loggia. Mr. Portuondo responded and explained the calculations.

Ms. Shiverick asked about the fish-tailed shingles on the front entrance. Mr. Portuondo responded. Ms. Shiverick asked about the proposed color of the shutters. Mr. Portuondo responded. She thought the dove-cotes needed to be restudied.

Mr. Corey thought the home could work in its location. He thought the bulk in this location was good. However, he had issues with the layout of the garage and the amount of hardscape proposed. He provided some recommendations, which included a reduction in the garage size.

Mr. Smith did not believe the home fit into this area of Town. He was not in favor of the accessory structure. He stated he could not support the project.

Mr. Karakul agreed with Mr. Smith and could not support the front-facing garages.

Ms. Connaughton agreed that something in the design needed to be changed to fit into the area.

Motion made by Ms. Shiverick to defer the project to the June 28, 2023, meeting for a restudy of the design based on the comments of the Commissioners.

Mr. Portuondo requested further clarification on the motion.

Motion seconded by Mr. Corey. Motion carried unanimously, 7-0.

4. **ARC-23-061 (ZON-23-062) 301 PLANTATION RD. (COMBO)** The applicant, Berne Helen H Trust, Owner / Roberto and Joanne DeGuardiola, Contract Purchaser, have filed an application requesting Architectural Commission review and approval for the construction of a new two-story residence with detached pool cabana, swimming pool, and sitewide landscape and hardscape improvements, with variances related to height and pool screening. Town Council shall review the applicant as it pertains to zoning relief/approval.

Mr. Hodges provided staff comments on the project.

Call for disclosure of ex parte communication: Disclosure by several members. *Richard Sammons declared a conflict of interest for the project and left the dais during the discussion.*

Scott Collison, Fairfax & Sammons Architects, presented the architectural plans proposed for the new home.

Cory Meyer, Nievera Williams Design, presented the landscape and hardscape plans proposed for the site.

Mr. Smith called for public comment. No one indicated a desire to speak.

Mr. Corey asked about the variances.

Maura Ziska, attorney for the applicant, described the variances requested and advocated for a positive recommendation to the Town Council.

A discussion ensued about the variances requested.

Mr. Corey thought the design of the home could work; however, he had a problem with the size and bulk of the design. He did not question the style but thought the height of the home could be reduced. He thought some informality should be added to the North elevation. He also recommended making the wing a bit more subservient. Mr. Collison responded.

Ms. Catlin did not feel like the home design was appropriate for the location. She also thought there should be more green space added. She supported the variances but thought the house had issues.

Mr. Karakul thought the house was nice, attractive, and tasteful. He supported the landscaping plan but would support more palms in the front of the home.

Ms. Connaughton thought the home design was nice. She questioned the black paint with the proposed style. She thought that since the home was on the corner, it would present nicely.

Ms. Shiverick thought the stucco railing on the north elevation was too heavy; she recommended metal piers. She felt a change would lighten that portion of the house. She agreed with Mr. Karakul that more palms in the front were needed. She also agreed with Ms. Connaughton that the black front door felt a bit heavy.

Ms. Martin agreed with Ms. Connaughton; he thought the design on the corner would be appropriate and would have a regal stance.

Mr. Floersheimer thought that with a little excavation, the garage could be slightly reduced, about a foot. He thought the overall house could be slightly reduced in height, and the scale should be adjusted.

Mr. Kirchhoff thought the house was nice. He agreed that more landscaping was needed on the side of Plantation Road. He also thought some of the paving could be reduced on the side of Plantation Road. Mr. Collison responded.

Mr. Karakul thought the house should not be reduced in height as it would spoil the architecture.

A discussion ensued on a possible motion.

Motion made by Mr. Karakul and seconded by Ms. Shiverick to approve the project, with the following items to return to the June 28, 2023, meeting for consideration: the landscape and hardscape plan, the railing on the rear balcony, and the color of the front door. Motion carried unanimously, 7-0.

Motion made by Mr. Corey and seconded by Ms. Shiverick that implementation of the proposed variances (building and chimney height) will not cause negative architectural impact to the subject property. Motion carried unanimously, 7-0.

Please note: The previous motion did not encompass the variance for the site wall.

5. **ARC-23-0661421 N. LAKE WAY** The applicant, Reef Road LLC, has filed an application requesting Architectural Commission review and approval construction of a new two-story residence with associated landscape and hardscape.

Ms. Pardue provided staff comments on the project.

Call for disclosure of ex parte communication: Disclosure by several members.

Patrick Mayfield, Dailey Janssen Architects, presented the architectural plans proposed for the new home.

Steve West, Parker Yannette Design Group, presented the landscape and hardscape plans proposed for the site.

Mr. Smith called for public comment.

Bill Metzger, 277 Esplanade Way, read a letter into the record on behalf of the neighbor at 250 Esplanade Way, which stated objections to the proposed design. Mr. Metzger objected to the size of the second story as he thought it was too large.

Mr. Connaughton thought the home did not feel like a Florida home and felt it would be very dark. She thought the home was too massive, solid, and squeezed in the middle of the lot. She thought the home needed a total restudy.

Mr. Floersheimer liked the entrance change on Reef Road rather than North Lake Way. He questioned the amount of space proposed between the two floors. He also thought the windows were too tall. He agreed with Ms. Connaughton's comments about the massive home with no light.

Ms. Shiverick thought the house was very repetitive and looked like many of the homes on the north end of the island. She thought the style should be changed.

Ms. Catlin wondered if the one-story portion should be adjacent to the smaller homes on the interior street. She requested that the existing hedge to be used for screening be maintained and stayed healthy during the construction.

Mr. Corey thought there was a lot of hardscape in the design. Mr. Corey advocated for a courtyard-style home.

Ms. Connaughton thought that since the lot was larger, the house should be stretched over the lot.

Mr. Kirchhoff thought the floor plan had not been studied and needed to be resolved. He thought the roof plan was a mess. He thought the design needed a complete restudy.

Mr. Sammons was not supportive of the home. He thought the roof plan was telling and needed a restudy. He questioned the fenestration size between the first and second floors.

Bruce Parslay, owner, discussed the reason for the pool location.

Motion made by Mr. Sammons and seconded by Mr. Corey to defer the project to the July 26, 2023, meeting for a complete redesign. Motion carried unanimously, 7-0.

6. **ARC-23-057 (ZON-23-049) 2 S. COUNTY RD. (COMBO)** The applicant, The Breakers Palm Beach, Inc. (Alex Gilmurray), has filed an application requesting Architectural Commission review and approval for the renovation and expansion of the existing tennis area, including replacements of 10 existing courts, addition of 2 courts, addition of pickleball courts, shade structures, decorative fencing, new service path, stretching area and

landscape improvements; requiring town council review of special exception, site plan review, and variances. This is a combination project that shall also be reviewed by Town Council as it relates to zoning relief/approval.

Ms. Pardue provided staff comments on the project.

Call for disclosure of ex parte communication: Disclosure by several members.

Jamie Crowley, attorney representing the applicant, presented the proposed plans for the modification to the existing tennis courts.

Paul Leone, CEO of The Breakers, stated the material would not be aluminum and asked the representative from Walpole Outdoors to describe the material for the fencing.

Russell Clark, Walpole Outdoors, discussed the material to be used for fencing.

Mr. Floersheimer thought the facility would be a nice place to play tennis. However, he expressed concern for the proposed shade structures. He asked about the height of the structures. Mr. Crowley responded. Mr. Floersheimer stated he could not vote for the shade structures.

Mr. Corey wondered if the lighting would be replaced. Mr. Crowley responded. A discussion ensued about the lighting. Mr. Leone discussed the purpose of the new lights. Mr. Corey did not believe the changes were in keeping with the architecture in the area. He expressed concern for the black material to be used. He thought the shade structures were inappropriate and too large. He did not support the blue color for the shade structure. He was in favor of the courts.

Mr. Smith asked about the netting shown in the pictures. Mr. Crowley responded. Mr. Smith asked to see a picture of the shade structure.

Mr. Leone discussed the intention to upgrade the experience of the tennis courts.

Mr. Corey thought the white shade structure was more aesthetically pleasing. Mr. Corey asked to see a cross-section of the courts.

Mr. Smith asked Mr. Leone if he would consider building an air-conditioned structure. Mr. Leone stated he had not considered that option.

Mr. Kirchhoff asked where the shade structures were proposed. Mr. Crowley proposed.

Mr. Karakul asked about the roofing material proposed for the structure. Mr. Crowley passed around material samples.

Mr. Smith about the number of shade structures proposed. Mr. Leone responded.

Mr. Kirchhoff asked about the material and wondered if it could be penetrated by the rain. Mr. Leone responded.

Ms. Shiverick wondered if the shade sail could be in a white color. Mr. Leone agreed to the color. Ms. Shiverick asked if they would cover all the courts. Mr. Leone agreed to cover all courts. Ms. Shiverick asked if the black fencing could be changed to white. Mr. Leone agreed.

Mr. Martin was not in favor of an enclosed tennis structure. Mr. Martin thought this was functional and thought that most would not notice the structure when driving by. He thought that in a Florida climate, shade was critical. He was fully supportive of the request.

Mr. Floersheimer did not feel that the shade structures fit in architecturally. He thought that more landscaping should be added if approved. He also advocated for the shade structure to be changed to a green color.

Ms. Catlin wondered if a different shade structure could be added, rather than a sail cloth, and in the Key West style. She also advocated using County Road rather than N. Lake Way for their truck logistics.

Mr. Sammons was not in favor of the plastic fencing. He thought the shade structures were inelegant but could be hidden. He recommended changing them to a green color.

Motion made by Mr. Corey and seconded by Ms. Shiverick to approve portions of the project, including the landscaping, the various courts, and the small shade structures in white; while the following items, such as the fencing, large shade structures, and the lighting, were deferred to the June 28, 2023, meeting. Motion carried unanimously, 7-0.

Ms. Churney called for public comment. No one indicated a desire to speak.

D. MINOR PROJECTS - OLD BUSINESS

1. **ARC-23-002 (ZON-23-015) 160 ROYAL PALM WAY – THE PALM HOUSE HOTEL (COMBO)** The applicant, LR PALM HOUSE, LLC., has filed an application requesting Architectural Commission review and approval for modifications to previously approved improvements at the site, including the relocation of mechanical equipment to the roof, the construction of new site walls, parapet alterations, and pool deck lighting, requiring a variance for rooftop air conditioning equipment height and requiring Site Plan Review. This is a combination project that shall also be reviewed by Town Council as it relates to the zoning relief/approval.

Please note: This item was deferred to the June 28, 2023, meeting at Item V., Approval of the Agenda.

2. **ARC-23-042 214 DUNBAR RD.** The applicant, 214 Dunbar LLC (William Georgas, Member), has filed an application requesting Architectural Commission review and approval for a new vehicular gate, new entry columns, and a redesigned pedestrian gate for an existing residence.

Ms. Pardue provided staff comments on the project.

Call for disclosure of ex parte communication: Disclosure by several members.

Dustin Mizell, Environment Design Group, presented the modifications proposed for the gates and columns.

Mr. Karakul asked about the material. Mr. Mizell responded.

Mr. Floersheimer asked about the type of gate. Mr. Mizell responded.

Mr. Sammons asked about the width of the gate. Mr. Mizell responded.

Motion made by Mr. Corey and seconded by Ms. Shiverick to approve the project as presented. Motion carried unanimously, 7-0.

Ms. Churney called for public comment. No one indicated a desire to speak.

E. **MINOR PROJECTS-NEW BUSINESS**

1. **ARC-23-060 101 NIGHTINGALE TRL.** The applicant, 04TST101 Nightingale LLC, has filed an application requesting Architectural Commission review and approval for exterior modifications to an existing one-story beach cabana, new spa and associated landscape and hardscape.

Ms. Pardue provided staff comments on the project.

Call for disclosure of ex parte communication: Disclosure by several members.

Chuck Willette, Brooks & Falotico Associates, presented the architectural modifications to the existing home.

Mr. Smith called for public comment. No one indicated a desire to speak.

Cody Sylvia, Nievera Williams Design, presented the landscape and hardscape plans proposed for the site.

Mr. Smith asked how the spa was being protected for safety. Mr. Sylvia responded. Mr. Smith asked about the preservation of the beach vista. Mr. Sylvia responded.

Mr. Sammons was worried about the lack of fencing around the spa. He thought the spa needed a proper fence with a gate.

Ms. Shiverick wondered if there was too much hardscape; she wondered if the flagstone path could be used to replace some of the hardscape.

Mr. Corey asked if the Sea Grapes would be retained. Mr. Sylvia responded. He thought the plan was too rigid and needed to be looser. He thought the landscape needed to be looser with the addition of more Sea Grapes.

Mr. Floersheimer agreed with Mr. Corey. He thought the area should feel beachier. Mr. Floersheimer asked about the mechanical units for the air conditioning.

Kelsey Brennan, Brooks & Falotico, responded.

Ms. Connaughton agreed with the other Commissioners and thought the proposal felt too formal.

Mr. Sammons thought there was too much hardscape and that the site should be loosened up. He recommended the addition of Sea Grapes and palm trees.

Motion made by Mr. Corey and seconded by Ms. Shiverck to approve the architectural portion of the project, with a deferral of the landscaping to the June 28, 2023, meeting. Motion carried unanimously, 7-0.

Please note: The following project was taken after the morning break at 11:14 a.m. after a motion was made to move the project on the agenda.

2. **ARC-23-055 288 QUEENS LN.** The applicant, Steven Rosenberg, has filed an application requesting Architectural Commission review and approval for the replacement of an existing front door and transom window with a new Brazilian Mahogany impact door.

Mr. Hodges provided staff comments on the project.

Call for disclosure of ex parte communication: Disclosure by several members.

Steven Rosenberg, owner, discussed the change proposed to his home.

Mr. Corey wondered why the item was not staff approved. Mr. Smith responded. Mr. Corey asked about the change to the front door.

Mr. Rosenberg described the changes for the front door.

Mr. Corey thought the door was a departure from the design; however, he thought the change was small. He thought there was an opportunity to bring light into the home with a different door.

Mr. Floersheimer questioned the rendering shown and wondered if it matched the home.

Ms. Shiverick asked about the existing and proposed front doors shown. Mr. Rosenberg responded. Ms. Shiverick wondered why the owner did not paint the door. Mr. Rosenberg responded. Ms. Shiverick did not feel that the Mahogany door proposed matched the style of the existing home.

Ms. Connaughton asked about the transom on the existing door. Mr. Rosenberg responded and showed the existing transom. She thought a painted front door would be better.

Ms. Catlin liked both door choices; however, she thought a different glass configuration in a Mahogany door would be better.

Mr. Floersheimer agreed that the glass inserts fit in stylistically with the existing home. He recommended removing the shutters and adding side lights. Mr. Rosenberg described why that suggestion was not possible.

Mr. Sammons wondered if the door was already installed. The contractor stated it was not installed. Mr. Sammons recommended replacing the door in kind.

Mr. Kirchhoff was not in favor of the proposed door and did not believe it fit in with the style of the home.

The contractor requested to proceed with the proposed door.

Mr. Karakul asked if it was possible to change the design of the glass inserts.

Motion made by Ms. Shiverick and seconded by Mr. Sammons to deny the project based on Section 18-205 (a) 1. Motion carried unanimously, 7-0.

After the motion, Mr. Rosenberg asked about the approval of an in-kind replacement. Mr. Corey responded.

X. Unscheduled Items (3 Minute Limit)

A. Public

There were no comments heard at this time.

B. Staff

There were no comments heard at this time.

C. Commission

Mr. Floersheimer asked when the Commissioners could require story poles in the approval process. Mr. Smith recommended waiting until the Commissioners saw the initial plan for the project. Mr. Corey thought it was a tool for the Commissioners to use when appropriate. A discussion ensued about the potential use of story poles.

Ms. Shiverick asked about the lack of renderings in the mini sets. Mr. Corey understood that the renderings were not ready when the plans were submitted but asked the staff if they could have them on the Monday prior to the meeting. Mr. Hodges stated that staff would get the Commissioners the renderings prior to the meeting.

Mr. Sammons thought the cost of the mini sets was very pricey. He asked for certain dimensions, as well as scale figures, to be added as a requirement in the mini sets. Mr. Floersheimer asked about the ceiling heights to be added to the plans. Mr. Sammons thought the legends should be large enough to read.

Mr. Karakul thought that the Commission should be able to review conception, preliminary and final plans. Mr. Hodges stated that the staff was discussing the possibility of inserting a conceptional presentation in the current submittal process if it was requested. Mr. Hodges added that staff would be prepared to discuss the idea at the next meeting.

Discussion ensued about the possibilities of how to tweak the submittal process to include

alternate project reviews.

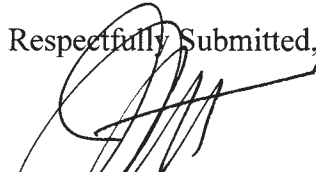
XI. **NEXT MEETING DATE** - Wednesday, June 28, 2023, at 9:00 a.m.

XII. **ADJOURNMENT**

Motion made by Mr. Sammons and seconded by Mr. Karakul to adjourn the meeting at 4:54 p.m. The meeting was adjourned without the benefit of a roll call.

The next meeting will be held on Wednesday, June 28, 2023, at 9:00 a.m. in the Town Council Chambers, 2nd floor, Town Hall, 360 S. County Road.

Respectfully Submitted,



Jeffrey W. Smith, Chairman
ARCHITECTURAL COMMISSION

kmc

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME <i>Sammons, Richard</i>		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>Architectural Review Commission</i>	
MAILING ADDRESS <i>455 Worth Ave</i>		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY <i>Palm Beach</i>	COUNTY <i>Palm Beach</i>	☐ CITY ☐ COUNTY ☒ OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED <i>May 24, 2023</i>		NAME OF POLITICAL SUBDIVISION: <i>Town of Palm Beach</i>	
		MY POSITION IS: ☐ ELECTIVE ☒ APPOINTIVE	

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also **MUST ABSTAIN** from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Richard Sammons, hereby disclose that on May 24, 2023:

(a) A measure came or will come before my agency which (check one or more)

- ☐ inured to my special private gain or loss;
- ☐ inured to the special gain or loss of my business associate, _____;
- ☐ inured to the special gain or loss of my relative, _____;
- ☒ inured to the special gain or loss of Roberto and Joanne DeGuardiola, by whom I am retained; or
- ☐ inured to the special gain or loss of _____, which is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

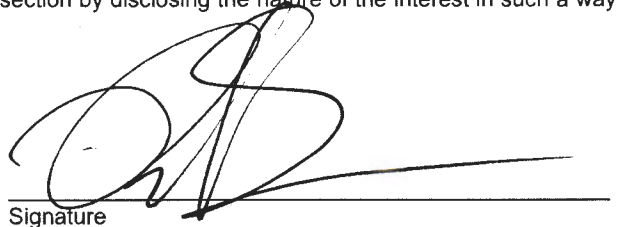
ARC-23-061 (ZON-23-062)
301 Plantation Rd
Combination Project

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

Date Filed

May 24, 2023

Signature



NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.

CERTIFICATION OF ACTION BY THE ARCHITECTURAL REVIEW COMMISSION

The Architectural Review Commission has denied the following request as it is not in accordance with the criteria set forth in Article III. ARCHITECTURAL REVIEW AND PROCEDURE, Section 18-205 Criteria.

Application Number and Title: ARC-23-055, 288 Queens Lane

Address: 288 Queens Lane

Applicant: Steven Rosenberg

Architect: N/A

Project Description: Approval for the replacement of an existing front door and transom window with a new Brazilian Mahogany impact door

The above request has been denied by the Architectural Review Commission for the following reasons:

- ☒ (1) The plan for the proposed building or structure is not in conformity with good taste and design and in general does not contribute to the image of the town as a place of beauty, spaciousness, balance, taste, fitness, charm and high quality.
- ☐ (2) The plan for the proposed building or structure does not indicate the manner in which the structures are reasonably protected against external and internal noise, vibrations, and other factors that may tend to make the environment more desirable.
- ☐ (3) The proposed building or structure is, in its exterior design and appearance, of inferior quality such as to cause the nature of the local environment to materially depreciate in appearance and value.
- ☐ (4) The proposed building or structure is not in harmony with the proposed developments on land in the general area, with the comprehensive plan for the town, and with any precise plans adopted pursuant to the Comprehensive Plan.
- ☐ (5) The proposed building or structure is excessively similar to any other structure existing or for which a permit has been issued or to any other structure included in the same permit application within 200 feet of the proposed site in respect to one or more of the following

features of exterior design and appearance:

- a. Apparently visibly identical front or side elevations;
- b. Substantially identical size and arrangement of either doors, windows, porticos or other openings or breaks in the elevation facing the street, including reverse arrangement; or
- c. Other significant identical features of design such as, but not limited to, material, roof line and height of other design elements.

— (6) The proposed building or structure is excessively dissimilar in relation to any other structure existing or for which a permit has been issued or to any other structure included in the same permit application within 200 feet of the proposed site in respect to one or more of the following features:

- a. Height of building or height of roof.
- b. Other significant design features including, but not limited to, materials or quality of architectural design.
- c. Architectural compatibility.
- d. Arrangement of the components of the structure.
- e. Appearance of mass from the street or from any perspective visible to the public or adjoining property owners.
- f. Diversity of design that is complimentary with size and massing of adjacent properties.
- g. Design features that will avoid the appearance of mass through improper proportions.
- h. Design elements that protect the privacy of neighboring property.

— (7) The proposed building or structure is not appropriate in relation to the established character of other structures in the immediate area or neighboring areas in respect to significant design features such as material or quality or architectural design as viewed from any

public or private way (except alleys).

- ___ (8) The proposed development is not in conformity with the standards of this Code and other applicable ordinances insofar as the location and appearance of the buildings and structures are involved.
- ___ (9) The project's location and design does not adequately protect unique site characteristics such as those related to scenic views, rock outcroppings, natural vistas, waterways, and similar features.

The applicant is advised that appeals must be filed with the Town Clerk within 10 days in accordance with Article III. Section 18-177 of the Town Code of Ordinances.

CERTIFICATION:

The above denial was issued by the Architectural Review Commission at their meeting on May 24, 2023

TOWN OF PALM BEACH



Chairman, Architectural Commission